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Attorneys for Defendant
HSBC BANK USA, N.A.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOHN CRUZ,

Plaintiff,

- against -

HSBC BANK USA, N.A.,

Defendant.

No. 12 Civ. 06088 (LDW) (ARL)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, dated May 6, 2013, and all other pleadings, papers and proceedings herein, Defendant HSBC Bank USA, N.A. will move this Court, at the Long Island Federal Courthouse, 100 Federal Plaza, Central Islip, New York, on such date and at such time as the Court may direct, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing Plaintiff's First Amended Complaint with prejudice for failure to state a claim upon which relief can be granted, and for such other and further relief that the Court deems just and proper.

Dated: New York, New York
May 6, 2013

Respectfully submitted,

PAUL HASTINGS LLP

By:

A handwritten signature in black ink, appearing to be 'ASB', written over a horizontal line.

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